

**SUPREME COURT MINUTES
FRIDAY, JANUARY 22, 2010
SAN FRANCISCO, CALIFORNIA**

S177671 B207169/B207481/B208574

Second Appellate District, Div. 2 **IN RE R.M.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 22, 2010.

S177691 B210349 Second Appellate District, Div. 4 **ROSARIO (CARLOS M.) v.
COUNTY OF LOS ANGELES**

The time for granting or denying review in the above-entitled matter is hereby extended to February 26, 2010.

S177858 B209689 Second Appellate District, Div. 6 **PEOPLE v. BROWN
(KENNETH)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 3, 2010.

S178081 B206915 Second Appellate District, Div. 2 **PEOPLE v. HURST (ASHTON
IVAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 3, 2010.

S178100 B211821 Second Appellate District, Div. 4 **PEOPLE v. VARGAS
(ARNULFO)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 22, 2010.

S178130 C057274 Third Appellate District **PEOPLE v. TYSON
(ANTOINE DUPREE)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 2, 2010.

S178140 G040608/G041245 Fourth Appellate District, Div. 3 **PEOPLE v. GLENN (JAMES ROY)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2010.

S178141 D055138 Fourth Appellate District, Div. 1 **PEOPLE v. MERCADO (MANUEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2010.

S178161 B219952 Second Appellate District, Div. 1 **COVINA, CITY OF v. S.C. (RAMIREZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 19, 2010.

S178240 C057586 Third Appellate District **PEOPLE v. DIAZ (HUMBERTO)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 2, 2010.

S178260 B210293 Second Appellate District, Div. 5 **CARR (LAMONT) v. TORRANCE MEMORIAL MEDICAL CENTER**

The time for granting or denying review in the above-entitled matter is hereby extended to February 23, 2010.

S178270 C059486 Third Appellate District **PEOPLE v. WATTS (CHRISTOPHER JOSEPH)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2010.

S178290 B207053 Second Appellate District, Div. 1 **PEOPLE v. CUMMINGS (DAVID)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2010.

S178291 A120088 First Appellate District, Div. 1 **PEOPLE v. OLIVAS (PEDRO JOAQUIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2010.

S178320 B204943 Second Appellate District, Div. 7 **BAYCOL CASES I AND II**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2010.

S178351 B211005 Second Appellate District, Div. 6 **PEOPLE v. PAYNE (MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 23, 2010.

S158898 D049038 Fourth Appellate District, Div. 1 **PEOPLE v. COGSWELL (HENRY IVAN)**

Request for judicial notice granted

Respondent's request for judicial notice, filed on April 14, 2008, is granted.

S174268 **SIMMONS (MICHAEL) ON H.C.**

Order vacated (case still open)

The order filed on January 13, 2010, denying the petition for writ of habeas corpus is hereby vacated.

S178051 **SAUNDERS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BRIAN SAUNDERS, State Bar Number 176100, be summarily disbarred from the practice of law in California and that his name be stricken from the roll of attorneys. BRIAN SAUNDERS must also comply with rule 9.20 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178052**STOLLER ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL THOMAS STOLLER, State Bar Number 120241, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. MICHAEL THOMAS STOLLER must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 7, 2009; and
2. At the expiration of the period of probation, if MICHAEL THOMAS STOLLER has complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL THOMAS STOLLER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178054**BURNS ON DISCIPLINE**

Recommended discipline imposed

The court orders that DON CAMERON BURNS, State Bar Number 135206, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DON CAMERON BURNS is suspended from the practice of law for the first 30 days of probation;
2. DON CAMERON BURNS must also comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on October 9, 2009; and
3. At the expiration of the period of probation, if DON CAMERON BURNS has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

DON CAMERON BURNS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178059**MARKUM ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES BRIAN MARKUM, State Bar Number 170326, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JAMES BRIAN MARKUM must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178060**MORIARTY, JR., ON
DISCIPLINE**

Recommended discipline imposed

The court orders that LEO JOSEPH MORIARTY, JR., State Bar Number 140093, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. LEO JOSEPH MORIARTY, JR., is suspended from the practice of law for the first 45 days of probation;
2. LEO JOSEPH MORIARTY, JR., must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 4, 2009; and
3. At the expiration of the period of probation, if LEO JOSEPH MORIARTY, JR., has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

LEO JOSEPH MORIARTY, JR., must take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for the years 2011 and 2012. If LEO JOSEPH MORIARTY, JR., fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S178061**GREENSPAN ON
DISCIPLINE**

Recommended discipline imposed

The court orders that ARTHUR GREENSPAN, State Bar Number 150216, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ARTHUR GREENSPAN is suspended from the practice of law for the first 30 days of probation;
2. ARTHUR GREENSPAN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 22, 2009; and
3. At the expiration of the period of probation, if ARTHUR GREENSPAN has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ARTHUR GREENSPAN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2011 and 2012. If ARTHUR GREENSPAN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S178062**HADDIX ON DISCIPLINE**

Recommended discipline imposed

The court orders that KENNETH LANCE HADDIX, State Bar Number 139459, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. KENNETH LANCE HADDIX is suspended from the practice of law for the first 30 days of probation;
2. KENNETH LANCE HADDIX must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 19, 2009; and
3. At the expiration of the period of probation, if KENNETH LANCE HADDIX has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

KENNETH LANCE HADDIX must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If KENNETH LANCE HADDIX fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S178063**BROWN ON DISCIPLINE**

Recommended discipline imposed

The court orders that DANIEL SCOTT BROWN, State Bar Number 158025, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, subject to the following conditions:

1. DANIEL SCOTT BROWN is suspended from the practice of law for a minimum of 90 days, and he will remain suspended until the following requirements are satisfied:
 - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. DANIEL SCOTT BROWN must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

DANIEL SCOTT BROWN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

DANIEL SCOTT BROWN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178065**COGLIANDRO ON
DISCIPLINE**

Recommended discipline imposed

The court orders that ANTONIO LLOYD COGLIANDRO, State Bar Number 73756, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, subject to the following conditions:

1. ANTONIO LLOYD COGLIANDRO is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirements are satisfied:
 - i. ANTONIO LLOYD COGLIANDRO must make restitution to Clarence Hunt in the amount of \$10,000 plus 10 percent interest per year from January 22, 2007 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Clarence Hunt, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles; and
 - ii. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar;
 - iii. ANTONIO LLOYD COGLIANDRO must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. ANTONIO LLOYD COGLIANDRO must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

ANTONIO LLOYD COGLIANDRO must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

ANTONIO LLOYD COGLIANDRO must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178128**NEJADPOUR ON
DISCIPLINE**

Recommended discipline imposed

The court orders that FARI BARI NEJADPOUR, State Bar Number 216925, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. FARI BARI NEJADPOUR is suspended from the practice of law for the first six months of probation;
2. FARI BARI NEJADPOUR must comply with the other conditions of probation

recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 15, 2009; and

3. At the expiration of the period of probation, if FARI BARI NEJADPOUR has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

FARI BARI NEJADPOUR must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

FARI BARI NEJADPOUR must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If FARI BARI NEJADPOUR fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

